

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK NELLOM,

Petitioner,

v.

SOBER; THE DISTRICT ATTORNEY OF
THE COUNTY OF DELAWARE; and THE
ATTORNEY GENERAL OF THE STATE
OF PENNSYLVANIA,

Respondents.

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CIVIL ACTION NO. 21-2835

ORDER

AND NOW, this 12th day of August, 2022, after considering the amended petition for a writ of habeas corpus under 28 U.S.C. § 2254 filed by the *pro se* petitioner, Frank Nellom (“Nellom”) (Doc. No. 6), the state court record, Nellom’s motion for summary judgment (Doc. No. 15), the respondents’ response to the habeas petition (Doc. No. 16), the report and recommendations by United States Magistrate Judge Carol Sandra Moore Wells (Doc. No. 20), and Nellom’s timely objections to the report and recommendations (Doc. No. 21); and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The clerk of court shall **REMOVE** this matter from **CIVIL SUSPENSE** and **RETURN** it to the undersigned’s active docket;
2. Nellom’s objections to the report and recommendations (Doc. No. 21) are **OVERRULED**;
3. The Honorable Carol Sandra Moore Wells’ report and recommendations (Doc. No. 20) is **APPROVED** and **ADOPTED** except as otherwise noted in the accompanying memorandum opinion;

4. Nellom's motion for summary judgment (Doc. No. 15) is **DENIED**;
5. The amended petition for a writ of habeas corpus (Doc. No. 6) is **DENIED**;
6. The court **DECLINES** to issue a certificate of appealability; and
7. The clerk of court shall **MARK** this matter as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.